

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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KANDAS DUKAS,

Plaintiff,

- against -

KONINKLIJKE LUCHTVAART
MAATSCHAPPIJ, N.V.,

Defendant,

- against -

SPENCER SHEEHAN,

Respondent.
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22-CV-7962 (RA) (RWL)

ORDER (CORRECTING CAPTION)

ROBERT W. LEHRBURGER, United States Magistrate Judge.

This case has been referred to me to determine the reasonable attorney’s fees to be awarded as sanctions already imposed. The Court recently asked to receive, and has received, in camera, defense counsel’s billing records, versions of which were produced to Plaintiff without any content in the field describing tasks for which time was charged. Prior to the case being referred to me, the last filing concerning the fee application was Plaintiff’s letter dated October 22, 2024, expressing concern about the records produced. (Dkt. 59.)

The Court has reviewed the billing records in detail. The Court finds that with few exceptions the information in the Timecard Description field is merely general description of tasks performed in connection with work filed with the Court, exactly what is at issue on the fee application (e.g., “review and draft notice of supplemental authority”; “edit reply brief and analyze case law regarding same”; “communicate with client regarding response

to order to show cause regarding sanctions”; “discussion regarding sanctions response”; “edit letter to the Court regarding sanctions and e-mail with team regarding same”; etc.). These descriptions are essentially what would be required in a privilege log to provide the requesting party with general information about the content of the document for which privilege is asserted. In other words, with very few exceptions, the descriptions given do not disclose privileged information or work product. Accordingly:

1. The same day this order issues, the Court will provide defense counsel ex parte with a document that identifies the material that may remain redacted.
2. By March 24, 2025, Defendant shall produce to Plaintiff and file a revised set of billing records that un-redacts the Timecard Description fields except for the items that the Court has indicated may remain redacted.
3. If Defendant wishes to supplement its reply briefing to address issues based on information provided in the Timecard Description field, Defendant shall do so no later than April 10, 2025. The supplement shall be no more than 6 double-line-spaced pages.

SO ORDERED.



ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Dated: March 14, 2025
New York, New York

Copies transmitted this date to all counsel of record.